

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Municipal Administration & Urban Development Department - Suits – APAT – C.A.No.346/2010 in O.A.No.411/2004 filed by Smt.V.Girija Kumari, W/o late (Sri) V.G.V.Prasad, Municipal Commissioner (Retired) Kavali Municipality for non-implementation of APAT orders – Release of withhold amount of Rs.63, 562-00 – Orders – Issued.

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MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (VIG.IV) DEPARTMENT

G.O.Rt.No. 598

Dated:27.05-2010

Read the following

- 1)G.O.Rt.No.1101, MA&UD (Vig.IV) Department, dated: 29-9-2006.
- 2) From the APAT, Hyderabad Orders in O.A.No.411/2006, dated: 18-6-2009.
- 3) From the APAT, Hyderabad Notice in C.A.No.346/2010 in O.A.No.411/2010, received on 19-4-2010.
4. Govt.Memo.No.3993/Vig.IV.1/2001-, dated: 01-05-2010.
- 5.From the Commissioner & Director of Municipal Administration, Hyderabad Letter No.23575/93/E2, dated: 20-05-2010.

ORDER:

The Commissioner & Director of Municipal Administration has withheld an amount of Rs.63,562-00 as detailed below in respect of Sri V.G.V. Prasad, Municipal Commissioner (Retd.) Kavali Municipality of Nellore District:-

1. H.B.A. (Principal + Interest pending)	Rs. 31,327-00
2. Telephone Charges (due to him)	Rs. 32,235-00
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Total:	Rs. 63, 562-00
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2. Aggrieved by the above, Sri V.G.V.Prasad. Municipal Commissioner (Retd.) has filed O.A.No.411/20004 in the Hon'ble A.P.A.T. for release of the above withheld amount.

3. While the matter stands at juncture, orders were issued abating all disciplinary cases pending against Sri V.G.V.Prasad, Municipal Commissioner (Retd.) Kavali Municipality, Nellore District, as he expired on 9-1-2006 vide G.O.1st read above, and the Commissioner and Director of Municipal Administration, Hyderabad has been directed to release the pensionary benefits to the legal heirs, subject to if any loss or misappropriated amount due to his negligence or misconduct, while he was in service is established, the same can be recovered from terminal benefits admissible to their legal heirs.

4. In the reference 2nd read above, the Hon'ble Tribunal in its orders dated: 18.6.2009 in O.A.No.411/2004, while allowing the case, directed the respondents to return the amount of Rs.63,562/- to the applicant forthwith

(P.T.O)

5. Smt.V.Girija Kumar, W/o the deceased employee has filed C.A. No. 346/2010 in the Hon'ble APAT for non-implementation of the Tribunal Orders dt. 18.6.2009 in O.A.No.411/2004. The Hon'ble Tribunal has issued notice to the respondents in the matter..

6. In the reference 4th read above, Commissioner and Director of Municipal Administration, Hyderabad has furnished report explaining the case in detail, wherein he has reported that out of Rs.63,562/- withheld, an amount of Rs.31,327-00 pertains to the balance of recovery of HBA taken by the deceased employee towards Principle and Interest pending. He has informed that he has addressed the Accountant General (A&E) to issue necessary orders for payment of full D.C.R.G., without deducting the said amount of Rs.31,237-00, which was earlier deducted to the legal heir of the deceased employee Sri V.G.V Prasad. Regarding release of withheld amount of Rs.32,235-00 towards Telephone charges, the Commissioner and Director of Municipal Administration has requested the Government to issue necessary orders in the matter.

7. Government after careful examination of the matter consider that since the Commissioner and Director of Municipal Administration has already addressed to the A.G. (A&E) for release of an amount of Rs.31,327-00 towards balance recovery of HBA, the remaining amount of Rs.32,235-00 with held towards Telephone charges is to be released by the Commissioner and Director of Municipal Administration to the legal heirs.

8. Keeping in view of the legal opinion of the appropriate authority and after careful examination of the matter in compliance with the directions of the Hon'ble Tribunal in O.A.No.411/2004, Government hereby direct the Commissioner and Director of Municipal Administration to release the balance withheld amount of Rs.32,235-00 (Rupees Thirty two thousand and two hundred and thirty five only) to the legal heirs of late Sri V.G.V.Prasad, Municipal Commissioner of Kavali Municipality, Nellore District, who expired on 9-1-2006.

9. The Commissioner and Director of Municipal Administration, Hyderabad shall take further necessary action accordingly and ensure that the total withheld amount of Rs.63,562-00 paid to the legal heirs of the deceased employee in this case and submit compliance report to Government as well as to the Hon'ble Tribunal.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH

T.S.APPA RAO

PRINCIPAL SECRETARY TO GOVERNMENT

To

The Commissioner & Director of .
Municipal Administration, Hyderabad.

Copy to

Smt.V.Girija Kumar, W/o late Sri V.G.V.Prasad, MC

Through the Commissioner & Director of

Municipal Administration, Hyderabad.

The Accountant General, A.P. Hyderabad.

The Govt. Pleader for MA&UD, APAT., Hyderabad.

P.S. to Min. (MA)

SF/SCs.

//FORWARDED BY ORDER//

SECTION OFFICER